

REMARKS

Claims 1-24 are pending.

Oath/Declaration

Applicant thanks the Examiner for her telephone message on March 15, 2004. We have noted the Examiner's indication that the Oath/Declaration objection of paper #3, mailed on December 23, 2003, was withdrawn by the Office. Thus, Applicant will not submit a new oath or declaration including authentication by a diplomatic or consular officer of the United States.

Claim Rejections Under 35 U.S.C. § 103(a)

The Examiner rejected claims 1 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Riley et al. (U.S. Patent No. 6,266,731) in view of Schwaderer (White paper, "Domain Validation Explained"). Further, the Examiner rejected claims 2-4, 18-21, 23 and 24 under Riley et al. and Schwaderer in view of Kwan et al. (U.S. Patent No. 6,658,459).

Specifically, the Office proposes that Riley et al. at column 12, lines 36-40 having the text "[a]n extended command field further qualifies each transaction" shows features of independent claims 1, 14, and 21. Applicant respectfully traverses.

In column 11, lines 42-26, Riley et al. discloses that the "RegPCI/SCSI bus adapter shall be *configured* to respond to commands from the CPU over the RegPCI bus and transfer information from the disk to the CPU via buses." Thus, in order to achieve the improvement of RegPCI, *configuration* requires the enhancements disclosed in col. 12, lines 15-40. The enhancements include passing information with each transaction on the local bus. Further, information includes the initiator number, the initiator bus segment, the transaction sequence, and an extended command field that qualifies each transaction. Thus, devices on the local PCI bus initiate transactions between other devices and the CPU for *device configuration*. Moreover, Riley et al. discloses "RegPCI *device configurations* are stored ...for later use by the startup programs." Column 11, lines 55-65.


In contrast, independent claims 1, 14, and 21 recite methods and program instructions that "generate a key pattern," which is examined to "ascertain a level of communication integrity" in order to *verify bus performance*. Bus performance verification is not "device configuration" as disclosed by Riley et al. Specifically, one of ordinary skill in the art looking to Riley et al. would not be motivated to use the reference for "verifying bus performance" because the reference teaches and suggests the *configuration of devices*.

Another difference between Riley et al. and the claimed invention is that “writing” and “reading” the “key data pattern” is for verifying bus performance. Riley et al. does not write and read key data pattern to an echo buffer for verifying bus performance. Thus, the Office offers Schwaderer as disclosing an echo buffer for “writing the key data pattern.” However, combining Schwaderer with a reference that provides motivation for *device configuration* does not render obvious the claimed invention for *verifying bus performance*. Thus, the teachings of Riley et al. would not motivate one of ordinary skill to combine the reference with Schwaderer or Kwan et al. to render Applicant’s claimed invention obvious.

Further, comparing the disclosed text of Riley et al. and the recited features of independent claims 1, 14, and 21, the “extended command field” of Riley et al. does not teach or suggest “examining the key header” or “examining the key data pattern.” Further, Riley et al. does not teach or suggest the remaining features of the independent claims related to the “examining.” Accordingly, because Riley et al. does not provide the motivation to verify bus performance, Applicant respectfully requests withdrawal of the 35 U.S.C. § 103(a) rejection. Moreover, Applicant respectfully submits that dependent claims 2-13, 15-20, and 22-24, which depend from independent claims 1, 14, and 21, respectively, are allowable for at least the same reasons.

Applicant respectfully requests a Notice of Allowance based on the foregoing remarks. If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 749-6900. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. ADAPP137). A copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
MARTINE & PENILLA, LLP


Feb Cabrasawan
Reg. No. 51,521

Martine & Penilla, LLP
710 Lakeway Drive, Suite 170
Sunnyvale, California 94086
Tel: (408) 749-6900
Customer Number 25920